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ITEMS SUBMITTED IN DUPLICATE

CERTIFICATION

I hereby certify that I have reviewed the attached documents, and that they conform to all applicable Kansas Register publication guidelines and to the requirements of K.S.A. 75-431, as amended. I further certify that submission of these items for publication is a proper and lawful action of this agency, that funds are available to pay the publication fees and that such fees will be paid by this agency on receipt of billing.

Christopher J. Tymeson
Liaison officer's typed name

Liaison officer's signature

Department Attorney
Title

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Wildlife, Parks, and Tourism Commission

Notice of Public Hearing

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 6:30 p.m., Thursday, January 8, 2015 at Bonner Springs Parks and Recreation, Sunflower Room, 200 E. 3rd St, Bonner Springs, Kansas, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks, and Tourism Commission will begin at 1:00 p.m., January 8 at the location listed above. The meeting will recess at approximately 5:00 p.m. then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9:00 a.m. January 9 at the location listed above.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, Commission Secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the Chairman of the Commission, Kansas Department of Wildlife, Parks, and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612 or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-7-2. This permanent regulation establishes general provisions for fishing. The proposed changes would allow the use of the KDWPT issued identification number in lieu of name and address on certain fishing lines.

Economic Impact Summary: The proposed amendment to the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-9-6. This permanent regulation establishes display requirements for vehicle permits. The proposed changes would clean up language related to out of date provisions.

Economic Impact Summary: The proposed changes to the regulation are not

anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

K.A.R. 115-30-1. This permanent regulation establishes display of identification number and decals for vessels. The proposed amendment would accommodate operators of sailboards in relation to decals due to the nature of the surface of sailboards.

Economic Impact Summary: The proposed amendment to the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the Commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling (785) 296-2281.

Gerald Lauber, Chairman

115-7-2. Fishing; general provisions. (a) Except as authorized in this regulation, any person may operate or set two fishing lines and, in addition, one trotline, eight floatlines, or eight setlines.

(b) Each fishing line, trotline, and setline shall be checked at least once every 24 hours.

(c) Each trotline, setline, tip-up, floatline, and unattended fishing line shall have a tag or label securely attached, designating either the name and address of the operator or the operator's department-issued identification number. No trotline, floatline, or setline shall be set within 150 yards of any dam.

(d) Sport fish shall be deemed legally taken by hook and fishing line only when hooked within the mouth, except paddlefish, which may be snagged as authorized by K.A.R. 115-7-1. Other sport fish hooked elsewhere shall be returned unrestrained to the water immediately.

(e) Fish may be taken by legal methods through the ice, unless the area is closed to ice fishing by posted notice or otherwise prohibited by regulation. Ice holes used for ice fishing shall not exceed 12 inches in diameter or 144 square inches.

(f) For ice fishing, a tip-up may be used on each of the allowed eight setlines, unless otherwise posted.

(g) Bow and arrow fishing and crossbow and arrow fishing shall be permitted in all waters of the state except those waters posted as closed to such fishing and except all waters within 50 yards of an occupied boat dock or ramp, occupied swimming area, occupied picnic or camping area, or other occupied public use area.

(h) Speargun fishing shall be permitted on waters open to skin and scuba diving, unless prohibited by posted notice or regulation. By posted notice, certain water areas may be opened

by the department for the taking of one or more species of sport fish by spearguns during a specified time period.

(i) Unless otherwise prohibited by regulation, in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes, any person may operate or set three fishing lines and, in addition, one trotline, eight floatlines, or eight setlines.

(j) Unless otherwise prohibited by regulation, in the waters of the state other than those waters specified in subsection (i), any person in possession of a three-pole permit may operate or set three fishing lines; and, in addition, one trotline, eight floatlines, or eight setlines.

(Authorized by and implementing K.S.A. 2014 Supp. 32-807; ~~implementing K.S.A. 2007 Supp. 32-1002~~; effective Dec. 26, 1989; amended Sept. 27, 2002; amended Feb. 18, 2005; amended Dec. 1, 2008; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-7-2. Fishing; general provisions.

DESCRIPTION: This regulation establishes general provisions applicable to fishing in Kansas.

The proposed amendments would allow individuals to use their KDWPT issued identification number in lieu of name and address on trotlines, setlines, tip-ups, floatlines and unattended fishing lines.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendments are not anticipated to have any economic impact to the department, other state agencies, small businesses, or the public.

ALTERNATIVES CONSIDERED: No alternative amendments are being considered at this time.

115-9-6. Vehicle permits; display. Each person who purchases a vehicle permit for entry into a state park or other area requiring a vehicle permit shall affix the permit to the ~~inside~~ lower corner of the windshield on the driver's side of the vehicle for which the vehicle permit was purchased. Annual ~~and second~~ vehicle permits shall be permanently affixed. (Authorized by ~~1989 HB 2005, Sec. 9;~~ implementing 1989 HB 2005, Sec. 54 K.S.A. 2014 Supp. 32-807; implementing K.S.A. 2014 Supp. 32-807 and 32-901; effective, T-115-7-27-89, July 27, 1989; effective Sept. 18, 1989; amended P-
_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-9-6. Vehicle permits; display.

DESCRIPTION: This permanent regulation sets the location for affixing park motor vehicle permits. The proposed changes clean up the regulation in relation to second vehicle permits, which are no longer offered, and allow for the placement of permits on the exterior of the window, as issued in the park passport program.

FEDERAL MANDATE: None.

ECONOMIC IMPACTS: The proposed regulation is not anticipated to have any appreciable economic impact on the department, small businesses, other agencies, or the public.

ALTERNATIVES CONSIDERED: None.

115-30-1. Display of identification number and decal. (a) All vessels required to be numbered pursuant to K.S.A. ~~31-1110~~ 32-1110 and amendments thereto, except sailboards, shall display the identification number stated on the certificate of number issued by the department to the vessel owner and the decals supplied by the department to the vessel owner as follows:

(1) Each number consisting of a combination of capital letters and arabic numbers shall read from left to right and shall be painted or permanently attached on the top forward half of the vessel.

(2) Each character of the number shall be in block form and easily read.

(3) Each character of the number shall be of the same height and shall not be less than three inches in height.

(4) The number shall be of a color that contrasts with the color of the vessel.

(5) A hyphen or equivalent space that is equal to the width of a letter other than "I" or a number other than "1" shall separate arabic numbers from capital letters occurring in the number.

(6) Department-issued validation decals shall be placed in line and within three inches of the registration number on both sides of the hull of the vessel.

(b) ~~A~~ Each sailboard shall display only the decals supplied by the department with the certificate of number issued to the sailboard owner. The decals shall be attached to the front half of the top of the sailboard. However, any operator of a sailboard may carry proof of current registration, rather than attaching the decals as otherwise required by this subsection, if the decals supplied by the department do not adhere or cease to adhere to the sailboard.

~~(c) This regulation shall be effective on and after January 1, 2008.~~ (Authorized by K.S.A. 2014 Supp. 32-807; and K.S.A. 32-1103, and ~~K.S.A. 2006 Supp. 32-1110~~; implementing K.S.A. ~~2006~~ 2014 Supp. 32-1110; effective Oct. 30, 1989; amended Jan. 1, 2008; amended P-_____.)

ECONOMIC IMPACT STATEMENT

K.A.R. 115-30-1. Display of identification number and decal.

DESCRIPTION: This permanent regulation establishes provisions regarding display of vessel identification numbers and decals. The proposed changes would allow sailboard operators to carry proof of registration if the decals supplied by the department do not adhere or cease to adhere to the sailboard due to the nature of surface of the sailboard.

FEDERAL MANDATE: None.

ECONOMIC IMPACT: The proposed amendment should not have a significant economic impact on the department, small businesses, the general public, or other agencies.

ALTERNATIVES CONSIDERED: None.